

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

LEIGH ANN GILLESPIE,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

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Civ. No. 3:23-00198-FDW-SCR

ORDER

THIS MATTER is before the Court through a Motion by Plaintiff, Leigh Ann Gillespie, for an award of attorney's fees, expenses, and costs pursuant to the Equal Access to Justice Act. (Doc. No. 12). Defendant has consented to that motion.

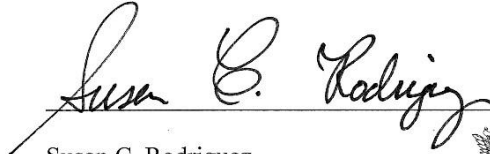
AND NOW, it is hereby **ORDERED** that Plaintiff, Leigh Ann Gillespie, is awarded attorney fees in the amount of Three Thousand, Eight Hundred Fifty Dollars and 00/100 Cents (\$3,850.00). Full or partial remittance of the EAJA award will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government.

If Plaintiff has no outstanding federal debt, the Commissioner may honor any EAJA assignment that Plaintiff may provide and make the checks payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the checks payable to Plaintiff directly and deliver the check to the business address of Plaintiff's counsel. The amount of EAJA award payable to Plaintiff will be the balance of EAJA award remaining after subtracting the amount of Plaintiff's outstanding federal debt. This award will be paid directly to Plaintiff, Leigh Ann Gillespie, and sent to the business address of Plaintiff's counsel. If Plaintiff's outstanding federal debt exceeds the amount of the EAJA award approved pursuant

to the Order, the amount of the EAJA award will be used to offset Plaintiff's federal debt and no EAJA award shall be paid.

SO ORDERED.

Signed: November 21, 2023


Susan C. Rodriguez
United States Magistrate Judge

